

Rule 9073-1. Hearings.

(A) Scheduling of Hearing (Regular Settings). Motions and other requests for relief for which a hearing is required or requested must be accompanied by the Local Form “Notice of Hearing”, with the caption of the case and description of the motion filled in, along with a self-addressed stamped envelope. The clerk will set the hearing, execute the notice, and return it to the movant for service.

(B) Requests for Hearing on at Least 16 Days’ Notice - Responsive Papers Required. Parties in chapter 7 or chapter 11 cases electing to trigger the mandatory requirement set forth in Local Rule 5005-1(F)(2) to file and serve responsive papers shall include above the preamble and below the title of the motion the following bulletin in print either highlighted or bold so as to make it more prominent than the remainder of the text:

Hearing Requested on at Least 16 Days’ Notice - Responsive Papers Required and Mandated By Local Rule 5005-1(F)(2)

The motion shall be accompanied by the Local Form “Notice of Hearing on at Least 16 Days’ Notice-Responsive Papers Required”, with the caption of the case and description of the motion filled in, along with a self-addressed stamped envelope. The clerk will, (i) set the hearing on a date which will allow for at least 16 days’ notice from the date of service of the hearing notice by movant’s counsel; (ii) execute the notice; and (iii) return the notice to the movant for service.

[Comment: See Local Rule 5005-1(F)(2) (mandatory response requirement).]

(C) Service and Filing of Notice of Hearing. The movant must serve the notice upon the same parties served with the motion, immediately upon receiving it from the court, and must file the notice with a completed certificate of service not later than 2 business days before the scheduled hearing. A request for relief as to which a proper notice of hearing is not timely filed may be denied *sua sponte* by the court without further notice or hearing.

(D) Conference With Opposing Counsel Required. If a motion seeks relief involving the debtor, the trustee, or a particular adverse party, the motion and Local Form “Notice of Hearing” shall include a certification that movant’s attorney has contacted all adverse parties to attempt to resolve the matter without hearing.

[Comment: See also Bankruptcy Rule 9011 (effect of signature) and Local Rule 7027-1(A) (motions to compel discovery).]